



Daniel J. Davis
d/b/a Scipio Petting Zoo
P.O. Box 137
Scipio, UT 84656

CITATION AND NOTIFICATION OF PENALTY

We believe that you violated the Animal Welfare Act (7 U.S.C. § 2131 et seq.) (AWA), as described below.

Date of Violation: May 16, 2012

9 C.F.R. § 3.125(a) Facilities, general. Structural strength. The facility must be constructed of such material and of such strength as appropriate for the animals involved. The indoor and outdoor housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

You failed to construct primary enclosures that would contain the animals. Two fallow deer that were startled broke through the primary enclosure gate. The two animals were subsequently shot when they could not be recaptured.

Date of Violation: May 16, 2012

9 C.F.R. § 3.127(d) Facilities, outdoor. Perimeter fence. On or after May 17, 2000, all outdoor housing facilities (i.e., facilities not entirely indoors) must be enclosed by a perimeter fence that is of sufficient height to keep animals and unauthorized persons out. Fences less than 8 feet high for potentially dangerous animals, such as, but not limited to, large felines (e.g., lions, tigers, leopards, cougars, etc.), bears, wolves, rhinoceros, and elephants, or less than 6 feet high for other animals must be approved in writing by the Administrator. The fence must be constructed so that it protects the animals in the facility by restricting animals and unauthorized persons from going through it or under it and having contact with the animals in the facility, and so that it can function as a secondary containment system for the animals in the facility.

You failed to enclose the fallow deer primary enclosure with a perimeter fence that could function as a secondary containment system. Two fallow deer escaped from their primary enclosure, but were not contained because the perimeter fence was not adequate to function as a secondary containment system.

Date of Violation: On or about May 16, 2012

9 C.F.R. § 2.40(b)(3) Attending veterinarian and adequate veterinary care (dealers and exhibitors). Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include daily observation of all animals to assess their health and well-being; provided, however, that daily observation of animals may be accomplished by someone other



than the attending veterinarian; provided, further, that a mechanism of direct and frequent communication is required so that timely and accurate information on problems of animal health, behavior, and well-being is conveyed to the attending veterinarian.

You failed communicate with your veterinarian regarding two (2) lambs that died.

The penalty for the alleged violation(s) described above is \$3,786.